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20 *V5 Technologies, LLC, d/b/a Cobalt Data Centers*

21 UNITED STATES DISTRICT COURT

22 DISTRICT OF NEVADA

23 V5 TECHNOLOGIES, LLC, d/b/a
COBALT DATA CENTERS,

24 Plaintiff,

25 v.

26 SWITCH, LTD., et al.,

27 Defendants.
28

Case No. 2:17-cv-02349-KJD-NJK

**STIPULATION TO (1) EXTEND
DEADLINE TO FILE DISPOSITIVE
MOTIONS FROM JANUARY 24 TO
FEBRUARY 24, 2020; (2) ALIGN
DISPOSITIVE AND DAUBERT
MOTION BRIEFING SCHEDULES;
AND (3) EXTEND DEADLINE TO
FILE PRETRIAL ORDER FROM
FEBRUARY 24 TO MARCH 25, 2020**

1 Pursuant to Federal Rule of Civil Procedure 16(b)(4), plaintiff V5 Technologies, LLC,
2 d/b/a/ Cobalt Data Centers (“Cobalt”) and defendant Switch, Ltd. (“Switch”), by and through their
3 counsel, hereby submit the following stipulation and proposed order to (1) extend the deadline to
4 file dispositive motions from January 24, 2020, to February 24, 2020; (2) align the dispositive and
5 Daubert motion briefing schedules; and (3) extend the deadline to file the proposed joint pretrial
6 order from February 24, 2020, to March 25, 2020, or, if dispositive motions are filed, 30 days after
7 decision on dispositive motions:

8 WHEREAS the current deadline to file dispositive motions is January 24, 2020; the current
9 deadline to file Daubert motions is February 24, 2020; and the current deadline to file the proposed
10 joint pretrial order is February 24, 2020, or, if dispositive motions are filed, 30 days after decision
11 on dispositive motions (*see* ECF No. 79 at 4; ECF No. 81; LR 26-1(b)(5));

12 WHEREAS Local Rule 7-2(b) provides that the deadline to file and serve any points and
13 authorities in response to a motion for summary judgment is 21 days after service of the motion,
14 and the deadline to file and serve any reply in support of a motion for summary judgment is 14
15 days after service of the response; and for all other motions, the deadline to file and serve any
16 points and authorities in response to the motion is 14 days after service of the motion, and the
17 deadline to file and serve any reply in support of the motion is seven days after service of the
18 response;

19 WHEREAS the parties are working diligently to schedule depositions of experts in the time
20 period between Cobalt’s service of its expert reply reports on December 26, 2019 and the current
21 dispositive motions deadline of January 24, 2020, but are encountering difficulties in scheduling all
22 three depositions of Cobalt’s three experts, and all eight depositions of Switch’s eight experts, for
23 this one-month period, particularly in light of the intervening holiday;

24 WHEREAS extending the dispositive motions deadline to February 24, 2020, would assist
25 the parties in scheduling all eleven expert depositions prior to the dispositive motions deadline;

26 WHEREAS plaintiff and/or defendant may file a motion for summary judgment that refers
27 or turns on the Court’s ruling on one or more Daubert motions anticipated to be filed by the same
28 party, and extending the deadline to file dispositive motions to the same date as the deadline to file

1 Daubert motions, and aligning the Daubert motion briefing schedule with the summary judgment
2 motion briefing schedule, would allow for coordination and cross-referencing, and for the motions
3 to be briefed and considered by the Court on the same timeline;

4 THEREFORE, the parties respectfully submit that good cause exists for, and request that
5 the Court enter, an order:

- 6 (1) Extending the deadline to file dispositive motions from January 24, 2020, to February
7 24, 2020;
- 8 (2) Extending the deadline to file and serve any points and authorities in response to any
9 Daubert motion to 21 days after service of the motion, and the deadline to file and
10 serve any reply in support of the motion to 14 days after service of the response; and
- 11 (3) Extending the deadline to file the proposed joint pretrial order from February 24,
12 2020, to March 25, 2020 (30 days after the extended dispositive-motion deadline, *see*
13 LR 26-1(b)(5)), or, if dispositive motions are filed, 30 days after decision on
14 dispositive motions.

15 Dated: December 18, 2019

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IT IS SO ORDERED.

Dated: December 19, 2019

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Nancy J. Koppe
United States Magistrate Judge

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Dated: December 18, 2019

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